

IN THE UNITED STATES DISTRICT COURT

cc: RT/PSA/TT  
LEK 3/13/19

MARCOUS NAGEL

CIVIL  
COMPLAINTReceived By Mail  
Date 3/4/19FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

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Index No.

Mailed On 3/13/19  
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LEK

CV19 00113 RT

- 1 David Warren
- 2 UBS Financial Services, LLC
- 3 John Decker
- 4 Unnamed Legal/Compliance Manager UBS  
Financial Services LLC
- 5 UBS
- 6 Unnamed Manager UBS
- 7 Unnamed Legal/Compliance Manager UBS
- 8 Merrill Lynch Pierce Fenner & Smith
- 9 Unnamed Manager Merrill Lynch Pierce  
Fenner & Smith
- 10 Unnamed Legal/Compliance Manager Merrill  
Lynch Pierce Fenner & Smith
- 11 Citigroup Global Markets, Inc.
- 12 Unnamed Manager Citigroup Global Markets,  
Inc.
- 13 Unnamed Legal/Compliance Manager  
Citigroup Global Markets, Inc.
- 14 Citigroup, Inc.
- 15 Unnamed Manager Citigroup, Inc.
- 16 Unnamed Legal/Compliance Manager  
Citigroup, Inc.

- 17 Financial Industry Regulatory Agency
- 18 Michele Collins
- 19 Linda (AKA "Lynda") Ford Agency  
Representative
- 20 Unnamed Financial Industry Regulatory Agency  
Manager
- 21 Ivon Nagel
- 22 Yvonne Warren
- 23 Alisin Nagel
- 24 Anna Nagel
- 25 Zachary Tynon
- 26 Yvette Kozak
- 27 Vladimir Kozak Sr
- 28 Vladimir Kozak
- 29 Kim Kozak
- 30 Steven Kozak
- 31 Mrs Kozak
- 32 Russell McVoagh
- 33 Andrew Butler
- 34 Edwards Clark Dickie
- 35 John Clark
- 36 Peter Edwards
- 37 Robert Spragg
- 38 Mary Spragg
- 39 Chapman Tripp
- 40 Arthur Young
- 41 Estate of Graham Davy
- 42 Jan Davy
- 43 G S Davy & Son, Ltd  
2



- 44 Unnamed Appraiser Nagel Family Trust
- 45 Nagel's Creations Ltd
- 46 John Sonder
- 47 Ellie Sonder
- 48 John Lambie
- 49 Dale Lambie
- 50 "Du Rou" Spragg
- 51 Mario Spragg
- 52 425 Perle South Tower Corp.
- 53 Kreindler Kreindler
- 54 Mr. Kreindler Sr. Kreindler Kreindler
- 55 Jean-Benoît Zagoos
- 56 Tomera Romanuk
- 57 Saleh
- 58 Christopher Fyfe
- 59 Marta Thompson
- 60 Unnamed Partner Saleh
- 61 Bruce Fyfe
- 62 Salvation Army (New Zealand)
- 63 Dimitri Tynon
- 64 Charles (AKA "Chuckie") Tynon
- 65 Herbert Romanuk
- 66 State of New York
- 67 State of New Jersey
- 68 State of Maryland
- 69 Commonwealth of Virginia
- 70 State of California
- 71 State of Florida

- 72 Unnamed Multistate Securities Licensing Agency
- 73 Bressler Amery & Ross
- 74 Unnamed Associate Bressler Amery & Ross
- 75 Unnamed Partner Bressler Amery & Ross
- 76 Jack Carde
- 77 Unnamed Partner of Anna Nagel
- 78 State of New South Wales
- 79 Bronwyn Romanivuk
- 80 Nicholas Romanivuk
- 81 Verde Group
- 82 Unnamed Company of Christopher Fyfe
- 83 Unnamed Company of Bruce Fyfe
- 84 Unnamed Partner of Bruce Fyfe
- 85 Rudd Watts
- 86 Unnamed Solicitor Rudd Watts
- 87 Unnamed Partner Rudd Watts
- 88 Marissa Price
- 89 John Zegers
- 90 Unnamed Financial Industry Regulatory Agency Arbitrator 1
- 91 Unnamed Financial Industry Regulatory Agency Arbitrator 2
- 92 Unnamed Financial Industry Regulatory Agency Arbitrator 3
- 93 Freshfields
- 94 Robert Lost Name Unknown



95 Unnamed Assistant Salah

96 Unnamed Legal Officer UBS Financial Services  
LLC

97 Unnamed Assistant UBS Financial Services LLC

98 Unnamed Solicitor Freshfields

- A) This case falls within Federal Jurisdiction, as Parties are domiciled in different States (Diversity)
- B) This case falls within Federal Jurisdiction, as issues and questions in this case are governed by Federal Laws and Statutes, including Racketeering Influenced & Corrupt Organizations Act 1970, FINRA Rules & Regulations, SEC Investment Advisory Rules & Regulations, Securities Exchange Act 1934, Investment Advisers Act 1940, Federal Anti-Money Laundering Regulations, USA PATRIOT Act, USC Criminal Section, US Treaties, US Wire Fraud / Mail Fraud / Bank Fraud Regulations, etc. (Federal Question)
- C) This case falls within Federal Jurisdiction, as the amount in controversy exceeds \$75,000.00

n) Issues / Facts: (D = Defendant P = Plaintiff)

Defendants

1. Committed multiple, repeated breach of trust in



- respect of Nagel Family Trust, Matthew Nagel Trust, Frederick Nagel Will Trust
- 2 Committed deceit, fraud, fraudulent misrepresentation, negligent misrepresentation, conversion, grand larceny, mail fraud, wire fraud, promissory estoppel in respect of Nagel Family Trust, Matthew Nagel Trust, Frederick Nagel Will Trust, Estate of Frederick Nagel, Estate of Eileen Nagel, Nagel's Creations Ltd, Coins International Ltd, Auckland Confirming Ltd, properties located in or around Mt Roskill, Auckland, New Zealand
  - 3 Breached duties not to profit, of loyalty, honestly, not to conflict interests, to advise beneficiaries
  - 4 Instituted and defended civil proceedings in Auckland, New Zealand without advising or informing Ps
  - 5 Requested, furnished, obtained, reviewed, transmitted discovery in respect of litigation in (4) without advising, informing, distributing, furnishing to Ps
  - 6 Maintained fraudulent trust, corporate, taxation records, accounts to defraud Ps, United States Internal Revenue Service, New Zealand Internal Revenue Department
  - 7 Settled litigation in (4) involving fundamental beneficiary rights without advising, informing Ps
  - 8 Distributed the vast majority of assets in Nagel Family Trust, Matthew Nagel Trust, Frederick

Nagel Will trust and/or would v. aforementioned trusts

9. Undertook to permit attendance of Ps at Judicial Settlement Conference, caused travel/other expenditure in reliance, subsequently barred attendance at Judicial Settlement Conference.
10. Undertook to provide legal representation and financial services and financial advice and access to full trusts litigation discovery, in exchange for not filing separate, additional proceedings in respect of aforementioned trusts; and subsequently breached this agreement and those undertakings by refusing to provide or negligently providing legal representation, financial services, financial advice, access to full trusts litigation discovery.
11. Initiated and mounted a prolonged campaign of defamation against Ps in New York and New Zealand to discredit Ps, silence complaints concerning (i) - (ii), obstruct Ps' access to support, services, information, advice.
12. Refused to provide annual financial statements, bank statements, accounts, taxation records, trust statements, corporate records of aforementioned trusts and corporations.
13. Persistently violated and breached Ps' attorney-client privilege, attorney work doctrine, medical privilege.
14. Battered, electronically battered, tortured



used direct/silent communication (hostile) against P - D1, D21, D22, D23, D24, D25, D28, D29, D30, D46, D48, D50, D51, D55, D56, D58, D59, D37, D38 prior to, during, subsequent to FINRA Arbitration 16-0217 to obstruct Ps' prosecution of Arbitration, conceal crimes, torts, violations, breaches in (1) - (14), force suicide of Ps, attempt to murder Ps. in order to file fraudulent wrongful death/survivor claims against State of New York, State of Florida, City of New York, United States of America (US Department of Justice agencies).

15. Facilitated, conspired to commit, acted as accessories in respect of, aided and abetted, solicited, acquiesced in torts, crimes, breaches, violations in (1) - (14) as  
 a) employers, principals, responsible parties who benefitted financially in the form of assets under management, prospective brokerage clients/accounts, prospective investment advisory

accounts/clients, banking accounts/clients,  
 prospective insurance/annuity accounts/clients,  
 prospective cash management accounts/clients,  
 prospective trusts accounts/clients, prospective  
 institutional/middle markets/high net worth/  
 corporate/business accounts/clients, wrongful  
 death/survivor/tort plaintiff clients/firms/  
 matters/representations/negotiations/claims/  
 cases/awards/arbitrations;

b) providers of housing, telecommunications, internet,  
 secretarial, assistant, database, meals,  
 beverages, computer equipment, telephone  
 equipment, advice, support, electric power,  
 household services, household assets, household  
 executive, emotional/psychological encouragement,  
 vehicle, fuels, insurance, salaries,  
 commissions, spousal income, family/partner  
 consortium

c) attorneys, barristers, solicitors, counsel,  
 bankers, executors, accountants, appraisers,  
 regulators, licensees, CRD maintainers,  
 directors, beneficiaries, trustees, associates,  
 boards of directors, volunteer organizations,



property providers, property managers,  
 governmental supervisors of conduct, registers  
 of property occupier codes of conduct,  
 supervisors, parent companies of affiliates  
 and employees in professional, regulated  
 industries and professions, assistants,  
 secretaries, arbitrators, regulators, enforcement;  
 — to Ds committing torts, crimes, breaches,  
 violations directly, notably D1, D21, D23, D24,  
 D25, D28, D29, D30, D46, D48,  
 D50, D51, D55, D56, D58, D59, D37,  
 D38, in (1) – (14) and elsewhere in this  
 Complaint.

16. Failed to disclose, report, discipline, supervise,  
 control, record, correct, curb, arrest, indict,  
 sanction, terminate, punish, strike licenses /  
 registrations / practicing certificates / admissions /  
 insurance licenses of D1, and all other  
 Ds including Ds 2 – 98 in relation to torts,  
 crimes, violations, breaches in (1) – (15).

17. Maintained negligent CRD, securities registrations  
 insurance licensing systems / operations, compliance  
 departments, legal departments, ethics commit'  
 policies / procedures, enforcement divisions, inves,

adversary divisions, SEC complaints investigation, customer arbitrators, arbitrator management, law referral systems / policies / procedures, law enforcement referral / systems / policies / procedures.

18. Formed criminal enterprises with common direction, committing predicate felonies including aggravated battery / aggravated assault / attempted murder, fraud, embezzlement, money laundering, securities fraud, with the common purpose of murder, torture, filing of fraudulent wrongful death / survivor claims against State of New York, State of Florida, City of New York, United States of America (US Department of Justice agencies), other municipalities, corporations et al.

19. Obstructed Ps' filing and prosecutions of this and other proceedings by the continued, ongoing torts, crimes, violations, breaches to prevent said filing / prosecution as a specific objective, thereby tolling applicable statutes of limitations.



## E) Causes of Action

1. Assault
2. Battery
3. False Imprisonment
4. Malicious Prosecution
5. Defamation
6. Intentional Infliction of Emotional Distress
7. Negligent Infliction of Emotional Distress
8. Abuse of Authority
9. Negligence
10. Strict Liability
11. Tortious Interference with Contract
12. RICO Violations
13. Violation of Civil Rights
14. Violation of Constitutional Rights
15. Invasion of Privacy
16. Public Disclosure of Private Facts
17. Intimidation
18. Loss of Consortium
19. Loss of Income
20. Unlawful Harassment
21. Unlawful Discrimination
22. Unlawful Retaliation
23. Fraud
24. Fraudulent Misrepresentation
25. Negligent Misrepresentation
26. Qui Tam

F) Relief Requested:

- 1 Compensatory Damages \$10,000,000.00
- 2 Punitive Damages \$5,000,000.00
- 3 Injunctive Relief
- 4 Declaratory Relief
- 5 Criminal Referrals
- 6 Attorney's Fees
- 7 Court Costs
- 8 Other Relief as Court deems fit.

G) Certification:

Plaintiff(s) affirm and attest that the contents of this Complaint, and all documents attached, enclosed, incorporated, exhibited hereto, are true and accurate; that Federal Court Rules and laws have been complied in connection with this Complaint and referenced documents; and that all private and/or personal information has been redacted in this Complaint and referenced documents.

~~\_\_\_\_\_  
#~~  
Marvus Najel

February 8, 2019  
Plaintiff



## CAUSES OF ACTION (CONTINUED)

27. Conspiracy
28. Attempt
29. USC Criminal Violations
30. US Treaty Violations
31. Violation of Human Rights
32. Civil & Unusual Punishment
33. Breach of Privilege (Attorney Client)
34. Breach of Attorney Work Product
35. Agent Liability
36. Vicarious Liability
37. Statutory Liability
38. Breach of Trust
39. Derogit
40. FTNPA Rules Violations
41. SEC TA Rules Violations
42. Failure to Supervise
43. Conversion
44. Trespass to Land
45. Trespass to Chattels
46. Official Misconduct
47. Perjury
48. Abuse of Litigation
49. Breach of Duty
50. Abuse of Discretion
51. Failure to Supervise
52. AML Violations
53. Bank Fraud
54. State Securities Rules Violations

55 Facilitation

56 Solicitation



H) Names and Addresses of Parties:1. Morris Nagel, Plaintiff

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New Zealand

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3. John DeckerDefendant 3

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16-20 Fl  
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5. UBS  
Defendant 5

6. Unnamed Manager UBS  
Defendant 6

7. Unnamed Legal/Compliance  
Manager UBS  
Defendant 7

8. Merrill Lynch Pierre  
Fennel & Smith  
Defendant 8

9. Unnamed Manager Merrill  
Lynch Pierre Fennel &  
Smith  
Defendant 9



10. Unnamed Legal / Compliance  
Manager Merrill Lynch  
Pierre Fournier & Swill  
Defendant 10

13. Unnamed Legal / Compliance  
Manager Citigroup Global  
Markets, Inc.  
Defendant 13

11. Citigroup Global Markets,  
Inc.  
Defendant 11

14. Citigroup, Inc.  
Defendant 14

12. Unnamed Manager Citigroup  
Global Markets, Inc  
Defendant 12

15. Unnamed Manager  
Citigroup, Inc.  
Defendant 15



16. Manager Citigroup, Inc.  
Defendant 16

Ford  
Defendant 19

17. Financial Industry  
Regulatory Agency  
Defendant 17

20. Unnamed Financial  
Industry Regulatory  
Agency Manager  
Defendant 20

18. Michele Collins  
Defendant 18

21. Ivan Nagel  
Defendant 21

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25. Zoeleigh Tynan  
Defendant 25

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Australia

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26. Yvette Kozak  
Defendant 26

New Zealand

27. Vladimir Kozak sr  
Defendant 27

New Zealand

28. Vladimir Kozak  
Defendant 28

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New Zealand



29. Kim Kozak

Defendant 29

Victoria Ave  
Remuera, Auckland  
New Zealand

32. Russell McVeagh

Defendant 32

New Zealand

30. Steven Kozak

Defendant 30

33. Andrew Butler

Defendant 33

Russell McVeagh

Wellington

New Zealand

31. Mrs Kozak

Defendant 31

34. Edwards Clark Dickie

Defendant 34

Auckland

New Zealand



35. John Clark  
Defendant 35

Remuera, Auckland  
New Zealand

36. Peter Edwards  
Defendant 36

New Zealand

37. Robert Spragg  
Defendant 37  
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New York, NY 10016  
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rspragg@kreindler.com

38. Mary Spragg  
Defendant 38

39. Chapman Tripp  
Defendant 39

Auckland  
New Zealand

40. Arthur Young  
Defendant 40

41. Estate of Graham Davy  
Defendant 41  
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Epsom, Auckland  
New Zealand

42. Jon Davy  
Defendant 42  
6 Castle Drive  
Epsom, Auckland  
New Zealand.

43. G.S. Davy & Son  
Defendant 43

Auckland  
New Zealand

44. Unnamed Approver  
Nagel Family Trust  
Defendant 44

Auckland  
New Zealand

45. Nagel's Creations Ltd  
Defendant 45

Auckland  
Auckland  
New Zealand

46. John Lambie

Defendant 46  
Mauku Rd  
Mauku  
New Zealand

47. Ellie Sander  
Defendant 47  
Mauku Rd  
Mauku  
New Zealand

48. John Lambie  
Defendant 48  
Lambie Drive  
Mongere, Auckland  
New Zealand

49. Dole Lambie  
Defendant 49  
Lambie Drive  
Mongere, Auckland  
New Zealand



50. Paul Spragg  
Defendant 50

51. Mario Spragg  
Defendant 51

52. 425 Park South Tower Corp.  
Defendant 52  
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53. Kraindor Kraindor  
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54. Mr. Kraindor, Sr.

Defendant 54

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55. Sean-Renoit Zegers  
Defendant 55

Diyadh  
Saudi Arabia

56. Tamara Romaniv K  
Defendant 56

Howick, Auckland  
New Zealand

57. Salah  
Defendant 57

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Saudi Arabia

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john.decker @ ubs.com

60. Unnawod Partvor Salah  
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Salah

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Saudi Arabia

61. Bruce Fyfe  
Defendant 61

Auckland  
New Zealand

63. Dimili Tynon  
Defendant 63  
Berkeley, NSW  
Australia

64. Charles (AKA "Chuckie") Tynon  
Defendant 64  
Berkeley, NSW  
Australia.

65. Horbert Romanjuk  
Defendant 65  
Auckland  
New Zealand

66. State of New York  
Defendant 66

, NY 1



67. State of New Jersey  
Defendant 67  
 , NJ 0

71. State of Florida  
Defendant 71  
 , FL 3

68. State of Maryland  
Defendant 68  
 , MD

72. Unnamed Multistate  
Securities Licensing  
Agency  
Defendant 72

69. Commonwealth of Virginia  
Defendant 69  
 , VA 2

73. Bressler Amery & Ross  
Defendant 73

New York, NY 100

70. State of California  
Defendant 70  
 , CA 9

74. Unnamed Associate  
Bressler Amery & Ross  
Defendant 74  
Bressler Amery & Ross

New York, NY 100

75. Unnamed Partner  
Bressler Amory e Ross  
Defendant 75

Bressler Amory e Ross

New York, NY 10

76. Jack Carde  
Defendant 76

Wanganui  
New Zealand

77. Unnamed Partner  
of Anna Nagel  
Defendant 77

Sydney, NSW  
Australia

78. State of New South  
Wales  
Defendant 78

Sydney, NSW  
Australia

79 Bronwyn Romaniuk  
Defendant 79

Auckland  
New Zealand

80 Nicholas Romaniuk  
Defendant 80  
Bossett Rd  
Remuera, Auckland  
New Zealand



81. Verde Group  
Defendant 81

Auckland

New Zealand

Attn: Vladimir Kozak

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85. Rudd Watts  
Defendant 85

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86. Unnamed Solicitor  
Rudd Watts  
Defendant 86

87. Unnamed Partner  
Rudd Watts  
Defendant 87

90. Unnamed Financial  
Industry Regulatory  
Agency Arbitrator 1  
Defendant 90

88. Marissa Price  
Defendant 88

Bassett Rd  
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New Zealand

91. Unnamed Financial  
Industry Regulatory  
Agency Arbitrator 2  
Defendant 91

89. John Zegers  
Defendant 89

92. Unnamed Financial  
Industry Regulatory  
Agency Arbitrator 3  
Defendant 92



93. Freshfields  
Defendant 93

96. Unnamed Legal Officer  
UBS Financial Services LLC  
Defendant 96

94. Robert Last Name Unknown  
Defendant 94

97. Unnamed Assistant UBS  
Financial Services LLC  
Defendant 97

95. Unnamed Assistant Salah  
Defendant 95

98. Unnamed Solicitor  
Freshfields  
Defendant 98